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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/826,638	04/05/2001	Craig T. Compton		3964

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EXAMINER

CULLER, JILL E

ART UNIT	PAPER NUMBER
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2854

DATE MAILED: 02/27/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/826,638

Applicant(s)

COMPTON ET AL.

Examiner

Jill E. Culler

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-- Th MAILING DATE of this communication appears on the cover sheet with the corresponding address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 April 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 April 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4. 6) ☐ Other:

DETAILED ACTION

Drawings

1. The drawings are objected to because reference numeral 42, press section, and reference numeral 47, framework, appear to be indicating the same part of the drawing with no indication of how they differ. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Specification

2. The disclosure is objected to because of the following informalities: On page 4, line 5, it appears that the letter "e" should be "be". Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,407,708 to Lovin et al.

Lovin et al. shows a flexographic printing press, 10, comprising a central impression cylinder, 12, having an outside surface adapted to support a web during printing, an unwind apparatus adapted to unwind a web to be printed on the central

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impression cylinder, means for guiding a web between the unwind apparatus and the central impression cylinder and providing an upstream entry point to the central impression cylinder, a rewind apparatus adapted to rewind a printed web, means for guiding a web between the central impression cylinder and the rewind apparatus and providing a downstream exit point from the central impression cylinder, a plurality of printing decks, 14, 16, 18, 20, 22, 24, positioned around the outside surface of the central impression cylinder, including an upstream printing deck, 14, adjacent the upstream entry point and a downstream printing deck, 24, adjacent the downstream exit point, at least one between color dryer, 28, 30, 32, 34, 36, positioned between each pair of adjacent printing decks, and a downstream dryer, 38, positioned between the downstream printing deck, 24, and the downstream exit point for drying a web on the central impression cylinder before the downstream exit point.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lovin et al. in view of U.S. Patent No. 4,909,148 to George.

Lovin et al. teaches all that is claimed, as in the above rejection of claim 1, except that there is no dryer between the exit point from the central impression cylinder and the rewind apparatus.

George teaches a printing machine, 20, with a central impression cylinder, 28, a plurality of printing decks, 30, 32, 34, an exit point and a rewind apparatus, 54, with no dryer between the exit point from the central impression cylinder and the rewind apparatus.

It would have been obvious to one having ordinary skill in the art at the time of the invention to modify Lovin et al. by removing the tunnel dryer between the exit point from the central impression cylinder and the rewind apparatus because George teaches it is not necessary.

7. Claims 3-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lovin et al. in view of U.S. Patent No. 5,483,886 to Hauer.

Lovin et al. teaches all that is claimed, as in the above rejection of claim 1, except that the means for guiding a web between the central impression cylinder and the rewind apparatus includes an air turning bar adjacent to the exit point from the central impression cylinder.

Hauer teaches an air turning bar for use in guiding a web. See column 4, lines 48-50.

It would have been obvious to one having ordinary skill in the art at the time of the invention to use the air turning bar of Hauer to guide the web of Lovin et al. adjacent

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to the exit point from the central impression cylinder in order to be able to guide the web without contacting the bar to eliminate the chance of smearing the freshly printed web.

8. Claims 5-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lovin et al. in view of U.S. Patent No. 6,176,184 to Mudry.

Lovin et al. teaches all that is claimed, as in the above rejection of claim 1, except that the downstream dryer has a plurality of nozzle plenums, a plurality of heat sources and separate control means for each of these heat sources. Lovin et al. also does not teach that there is a second downstream dryer.

Mudry teaches a dryer having a plurality of nozzle plenums, a plurality of heat sources and a separate control means for each of these heat sources.

It would have been obvious to one having ordinary skill in the art at the time of the invention to construct the dryers of Lovin et al. using the structure of Mudry in order to more effectively dry the printed web.

With respect to claims 6-7, it should be noted that the addition of a second dryer is a mere duplication of parts not sufficient to patentably distinguish the claimed invention from the prior art since no new or unexpected results are apparent.

With respect to claim 8, it should be noted that as each heat source has a separate control means, it would be obvious to turn one of these off in order to provide unheated air to a nozzle plenum.

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Conclusion


9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jill E. Culler whose telephone number is (703) 308-1413. The examiner can normally be reached on M-Th 7:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Hirshfeld can be reached on (703) 305-6619. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7722 for regular communications and (703) 308-7722 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1782.

jec
February 24, 2003


**ANDREW H. HIRSHFELD
SUPERVISORY PATENT EXAMINER
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